

AMENDED IN ASSEMBLY JANUARY 4, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

**ASSEMBLY BILL**

**No. 538**

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**Introduced by Assembly Member Williams**

February 16, 2011

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An act to add Section 35412 to the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 538, as amended, Williams. Vehicles: commercial vehicles: length restrictions: State Route 33.

(1) Existing law prohibits any combination of vehicles coupled together, including any attachments, from exceeding a total length of 65 feet, with certain, specified exceptions. Existing law authorizes a city or county, by ordinance, to prohibit a combination of vehicles of a total length in excess of 60 feet upon highways under its respective jurisdiction, as specified. Existing law allows a combination of vehicles to be operated with a kingpin-to-rearmost-axle measurement of greater than 38 feet but not more than 40 feet on those highways under the jurisdiction of local authorities only where it is deemed to be safe by the owner of the vehicle or the person operating the vehicle and where its operation is not specifically prohibited by local ordinance. A violation of the Vehicle Code is a crime.

This bill would prohibit a person from driving a commercial vehicle with a kingpin-to-rearmost-axle length in excess of 30 feet on the segment of State Route 33 (SR-33) that is located between the county boundary delineating the Counties of Santa Barbara and Ventura and the Camino Cielo Road near the City of Ojai. *The bill would also make legislative findings and declarations.*

The bill would require a person who violates this provision to be punished, upon conviction, by a specified fine based on the weight of the vehicle or \$1,000, whichever is greater. Because the bill would create a new crime, it would impose a state-mandated local program. The bill would also require the Department of Transportation to erect suitable signs at each end of the portion of SR-33, as specified above, and any other points that the department deems necessary to give adequate notice of the prohibition.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 35412 is added to the Vehicle Code, to  
2 read:

3 ~~35412. (a)~~

4 35412. (a) *The Legislature finds and declares all of the*  
5 *following:*

6 (1) *The Department of Transportation submitted a report to the*  
7 *Legislature titled "Truck Kingpin-to-Rear Axle Length State*  
8 *Highway System Evaluation" that found State Route 33 from El*  
9 *Robar Road to the Santa Barbara County line is geometrically*  
10 *inadequate for use by any commercial vehicle with a kingpin to*  
11 *rear axle length greater than 30 feet.*

12 (2) *The Department of Transportation has posted on its Internet*  
13 *Web site that portions of State Route 33 within the County of*  
14 *Ventura is a California Legal Advisory Route that should not be*  
15 *used by trucks with a kingpin to rear axle length greater than 30*  
16 *feet.*

17 (3) *The report to the Legislature recommends providing the*  
18 *Department of Transportation the authority to install regulatory*  
19 *signing based on the consideration of public safety and that of the*  
20 *kingpin to rear axle length for a specific route.*

1     (4) *It is the intent of the Legislature to provide the Department*  
2 *of Transportation the authority to install regulatory signing for*  
3 *that section of State Route 33 as specified in subdivision (b).*

4     (b) Except as provided in subdivision ~~(b)~~ (c), a person shall not  
5 drive a commercial vehicle with a kingpin-to-rearmost-axle length  
6 in excess of 30 feet on the segment of State Route 33 (SR-33) that  
7 is located between the county boundary delineating the Counties  
8 of Santa Barbara and Ventura and the Camino Cielo Road near  
9 the City of Ojai.

10    ~~(b)~~  
11    (c) Subdivision ~~(a)~~ (b) does not apply to any of the following  
12 vehicles:

13       (1) An authorized emergency vehicle.

14       (2) A vehicle operated by a publicly or privately owned public  
15 utility.

16       (3) A vehicle operated by a government agency.

17       (4) A tow truck providing assistance to a vehicle that is  
18 accessible only from that portion of SR-33 specified in subdivision  
19 ~~(a)~~ (b).

20       (5) A commercial vehicle involved in a motion picture,  
21 commercial, or television production conducting motion picture,  
22 commercial, or television production activities in areas that are  
23 accessible only from that portion of SR-33 specified in subdivision  
24 ~~(a)~~ (b).

25    ~~(e)~~  
26    (d) A person who violates this section shall, upon conviction,  
27 be punished by a fine pursuant to subdivision (a) of Section 42030  
28 or one thousand dollars (\$1,000), whichever is greater.

29    ~~(d)~~  
30    (e) The Department of Transportation shall erect suitable signs  
31 at each end of the portion of SR-33 specified in subdivision ~~(a)~~  
32 (b) and any other points that the department deems necessary to  
33 give adequate notice of the prohibition pursuant to this section.

34    SEC. 2. No reimbursement is required by this act pursuant to  
35 Section 6 of Article XIII B of the California Constitution because  
36 the only costs that may be incurred by a local agency or school  
37 district will be incurred because this act creates a new crime or  
38 infraction, eliminates a crime or infraction, or changes the penalty  
39 for a crime or infraction, within the meaning of Section 17556 of  
40 the Government Code, or changes the definition of a crime within

- 1 the meaning of Section 6 of Article XIII B of the California
- 2 Constitution.

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